

**MINUTES OF THE COTTONWOOD HEIGHTS CITY  
PLANNING COMMISSION MEETING**

**Wednesday, September 3, 2014**

**6:00 p.m.**

**Cottonwood Heights City Council Room  
1265 East Fort Union Boulevard, Suite 300  
Cottonwood Heights, Utah**

***ATTENDANCE***

**Members Present:** Chair Gordon Walker, Commissioner Perry Bolyard, Commissioner James Jones, Commissioner Dennis Peters, Commissioner Joseph Demma, Vice Chair Paxton Guyman

**Excused:** Commissioner Janet Janke, Commissioner Jeremy Lapin

**Staff Present:** Community and Economic Development Director Brian Berndt, Senior Planner Glen Goins, Associate Planner Mike Johnson, City Engineer Brad Gilson, City Geologist Tim Thompson, City Attorney Shane Topham, Special Legal Counsel Jody Burnett

**Others Present:** Gary McGee, Jill McGee, Chris Burley, Diane Burley, Carolyn Brooks, Ron Vos, Dennis Iverson, Jil Boatright, Kathy Jowell, Kurt Woolley, Bruce Oakey, Lisa Romero, Ronnie Romero, Anita Bangerter, Gray Smith, Cynthia Smith, Dan West, Maryanne Graybill, Dion Graybill, Curtis Sigoda, Cory Wilkin, Julie Aiken, Greg Aiken, Kevin Kirk, Mack Rideout, John Murphy, Mary Siden Sullivan, Debbie Scott, Ken Hostetter, Jeff Wade, Nancy Schutt, Anna Rawle, John Caswell, Judy Guymon, Bryan McMillen, Kay McMillen, Kim Kehl, Jon Owens, Tiffany Owens, Mark Frederick, David Guymon, Karrie Cook, Dean Smith, Nancy Smith, Shauna Lloyd, Paul Garner, Jennifer Parker, Gordon Day, Delwyn Maxwell, Renee Maxwell, Kirsten Sparks, Agnes Sparks, Dave Heaston, John McNeil, Steve Williams, Vera Winn, Steven Gilman, Richard Ross, Shelly Tripp, Frances Schimer, Warren SchorderRiat Watts, Dorothy More, Teresa Ellis, Lisa Bradley, Tyson Bradley, Nancy Hardy, Kaye Skola, Nick Skola, Ronald Roberts, Jackie McGill, Randy Long, Linda Venner, Sheryl McCallister, Susan Despain, Gary Napel, Anna Rawle

**BUSINESS MEETING**

**1.0 WELCOME/ACKNOWLEDGEMENTS**

Chair Gordon Walker called the meeting to order at 6:00 p.m. and welcomed those attending.

**2.0 CITIZEN COMMENTS**

Chair Walker opened the citizen comment period. There were no comments. The citizen comment period was closed.

### 3.0 PUBLIC HEARINGS

#### 3.1 (Project #PUD-14-001) Public Comment on a request from Richard Cook, for a conditional use permit and site plan approval for the Giverny PUD located at 9160 S Wasatch Boulevard

Chair Walker stated that the proposed request from Richard Cook for a conditional use permit and site plan approval for the Giverny PUD located at 9160 South Wasatch Boulevard. He explained that a public hearing was previously held and left open while the Commission is awaiting forthcoming information regarding the proposed development; this is the third time public comment has been taken regarding this request.

Senior Planner, Glen Goins, reiterated that this is the second continuance and the third public hearing for the proposed development. Two significantly emerging issues are traffic and geologic issues. Reports regarding these issues have recently been received and staff is in the process of examining those reports in order to make recommendations to the Commission.

Commissioner Peters asked if there have been any changes made since the last Planning Commission meeting.

Mr. Goins stated that the applicant agreed to create a greater rear yard setback. The entryway was pushed to the north to align with an existing right-of-way. A trail system was proposed through the open space to the west.

Dade Rose, representing the applicant, stated that the owner of the property is the Despain family. They have owned the property since 1876. His company, Regal Homes, has built 2,160 lots with a market value of \$209,942,000. Local projects include Alpine Chateaus and Danish Downs. The proposed Giverny PUD will be located on 45.131 acres with a density of 3.74 homes per acre for a total of 169 homes. Under the current zoning, they would be entitled to 5.44 homes per acre. The project includes four neighborhoods priced from \$475,000 to over \$1 million. Mr. Rose presented a project rendering and discussed landscaping details. The roadway is to measure 25 feet wide. The project is designed with a two-stage left turn allowing for a safe transition. They have also agreed to provide a similar entry for Green Hills Drive and Wasatch Drive. Access was described.

Mr. Rose discussed buffering and stated that they have added green space to the north and are placing lots parallel to the existing homes. The depth remains the same. He feels they have met the standard for conditional use approval, identified the detrimental impacts, and mitigated them.

Commissioner Guymon asked if there was another location that could be used off of Wasatch Boulevard as an entrance. The current location runs adjacent to the Smith's residence and doesn't seem to mitigate the affect it would have on their property.

Mr. Rose commented that it is very difficult to get away from their property given their location.

The applicant, Richard Cook, stated that the Smiths have an existing easement and because of its location, the road has to exist as designed in order to give them access to their home. Out of four sides, they've given them green buffer in their backyard, 1.5 acres in their front yard, as well as an access easement.

Commissioner Peters asked about the compatibility of the homes to the north as the proposed homes appear to be much smaller than the neighborhood to the north.

Mr. Rose detailed the layout of the property.

Commissioner Paxton asked if anything else could be done to mitigate the impact of the McGee's property.

Mr. Rose stated that the four lots have been increased in size so that they match the underlying zone. It is marked on the plat that the setback from the lot line will be 35 feet and be a plat restriction.

Mr. Rose confirmed that Despain Way will be open at the request of the City.

Chair Walker opened the public hearing.

Cindy O'Neil asked about the three-car garage lot size and expressed concern with the potential retention space and high traffic volumes.

Mark Frederick stated that he believes the proposed connection of the Giverny development into existing neighborhoods does not follow the transition of roads done in other neighborhoods. He expressed concern about the gates with the potential increase in traffic and the entry into the development from Wasatch Boulevard and suggested the use of cul-de-sacs on the existing neighborhood roads to the north.

Kent Anderson shared concerns with the proposed lot sizes.

Jon Owens stated that he is excited to build a home in the proposed Giverny subdivision. He appreciates the effort of the developer to keep families in Cottonwood Heights.

Paul Garner expressed opposition to the proposed project.

Mike Rider expressed concern with potential increased traffic volumes.

Diane Wosterberg concurs with potential traffic issues. If the proposal is approved she asks that the number of units be reduced.

Sheryl McAllister believes the project should be denied. She remarked that the increase in traffic during the ski season is much greater than the current traffic. She stated that the community's utilities are barely adequate and suggests they be upgraded and warranted by the developer. The geology of the property is also of concern.

Mark Cook is in favor of the proposed Giverny project.

Doug Haymore stated that he was an inaugural member of the Cottonwood Heights Planning Commission and also served on the Granite Community Council and Salt Lake County Planning Commission. He does not believe enough has been done to mitigate the negative impacts and is of the opinion that more can be done.

Mark Moffit asked where residents who wish to down size move to in Cottonwood Heights. He believes properties like the proposed Giverny development are rare. He is in favor of the proposed Giverny PUD.

Kiersten Sparks stated that she has concerns with the potential increase in traffic and the expansion of Wasatch Boulevard, which will push the road to her property line. Wildfires are also of concern with the small lot sizes and close proximity of homes, how quickly can a wildfire spread.

Curtis Sigoda expressed frustration with the potential increase in traffic the proposed project will bring.

Randy Long is concerned with how the project will affect the Bonneville Shoreline Trail.

Greg Akin is looking to downsize and is in favor of the proposed Giverny PUD.

Shelly Tripp stated that she is excited to be able to live in the proposed project. She believes it will be very beneficial and bring value to the community.

Mary Sullivan expressed concern with the geological and geographic implications of such high density.

Dana Weather is of the belief that due to the geological aspects, the total buildable area is 25 acres, not 45 acres. Her concern is with the quality of the proposed homes.

Brittany Anderson expressed her support for the proposed Giverny project.

Robert Jacobs expressed opposition to the proposed Giverny development.

Gray Smith stated that he believes there is a misunderstanding between property owners and the developer. He is not in favor of having the entrance to the proposed Giverny property run through the front and side of their home. What he is asking for is exactly what was presented when the zoning change was requested. He clarified that they requested R-1-21 zoning rather than R-1-8.

Steven Gillman questions why the City recommends that Green Hills Drive, Despain Way, and Treasure Way go through to the proposed development. He is also concerned with the traffic regulating gates and asked who will be responsible for their maintenance.

Jill Boatwright is of the opinion that this is beautiful open space and asked if it is necessary to be developed.

Ken McArthur is of the opinion that there could be improvements made to the site plan to protect existing homeowners.

Carolyn Brooks expressed concern with the proposed density, particularly with the smallest units, and how the density will impact utilities.

Lowell Lyon recommended a compromise be made with green space and the communal area located behind the proposed homes.

Shauna Lloyd is excited about the Giverny PUD and the opportunity to live there.

Debbie Scott questioned the possible increase in emergency services with the proposed development, the impact to the local school district, and the increase in snow removal services.

Mark Machlis, Vice President CHVoter's, is of the opinion that the underlying R-1-8 zone is most consistent with the proposed development and believes the Planning Commission has the ability to require a minimum lot size to make the proposed development more consistent with the surrounding community. He encourages a larger minimum lot size on the PUD. Other conditions pertain to impervious surface at the entrance, and moving the road to the north. He noted that development on the on-street parking area needs to stay with the PUD and homeowners. A snow removal plan also needs to be put in place.

Gary McGee submitted a letter referencing the Cottonwood Heights Municipal Code of Ordinances and listing where he believes the proposed PUD falls short.

Preston Stinger reported that he works for a traffic transportation and engineering firm and stated that they are familiar with Wasatch Boulevard traffic concerns. He is of the belief that the proposed Giverny project would increase traffic by approximately 1,700 cars per day and would request those impacts be mitigated. He also believes that having a three-lane cross section and a right turn lane into the development will increase the capacity by 3,000 cars.

David White expressed concern with the public's use of the nearby trail system and potential fire dangers.

Nancy Shutt stated that she is a cyclist and expressed concern with increased traffic.

Chair Walker assured the citizens that their concerns and comments are heard and considered.

There were no further comments. The public hearing was closed.

#### 4.0 ACTION ITEMS

##### 4.1 Approval of August 6, 2014 Minutes

***Motion: Commissioner Peters moved to approve the August 6, 2014, minutes. The motion was seconded by Commissioner Demma. The motion passed with the unanimous consent of the Commission.***

#### 5.0 ADJOURNMENT

***Motion: Commissioner Demma moved to adjourn. The motion was seconded by Commissioner Jones. The motion passed with the unanimous consent of the Commission.***

The Planning Commission meeting adjourned at 8:08 p.m.

Minutes approved: 10/01/2014